



***Substitute House Bill No. 6579***

***Public Act No. 05-169***

***AN ACT CONCERNING CRIME VICTIMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 46b-122 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

All matters which are juvenile matters, as provided in section 46b-121, shall be kept separate and apart from all other business of the Superior Court as far as is practicable, except matters transferred under the provisions of section 46b-127, which matters shall be transferred to the regular criminal docket of the Superior Court. Any judge hearing a juvenile matter may, during such hearing, exclude from the room in which such hearing is held any person whose presence is, in the court's opinion, not necessary, except that in delinquency proceedings, any victim [of the delinquent act, the parents or guardian of such victim and any victim advocate appointed pursuant to section 54-221] shall not be excluded unless, after hearing from the parties and the victim and for good cause shown, which shall be clearly and specifically stated on the record, the judge [specifically] orders otherwise. For the purposes of this section, "victim" means a person who is the victim of a delinquent act, a parent or guardian of such person, the legal representative of such person or an advocate appointed for such person pursuant to section 54-221.

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Sec. 2. Section 54-76h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(a) All of the proceedings, except proceedings on the motion under section 54-76c, had under the provisions of sections 54-76b to 54-76n, inclusive, shall be private and shall be conducted in such parts of the courthouse or the building wherein court is located as shall be separate and apart from the other parts of the court which are then being held for proceedings pertaining to adults charged with crimes. If [such] the defendant is committed while [such] the examination and investigation under said sections is pending, before trial, during trial or after judgment and before sentence, those persons in charge of the place of detention shall segregate [such] the defendant, to the extent of their facilities, from defendants over the age of eighteen years charged with crime.

(b) In a proceeding under sections 54-76b to 54-76n, inclusive, the court shall not exclude any victim from such proceeding or any portion thereof unless, after hearing from the parties and the victim and for good cause shown, which shall be clearly and specifically stated on the record, the court orders otherwise. For the purposes of this subsection, "victim" means a person who is the victim of a crime for which a youth is charged, a parent or guardian of such person, the legal representative of such person or an advocate appointed for such person pursuant to section 54-221.

Sec. 3. (NEW) (*Effective October 1, 2005*) In a proceeding under sections 54-76b to 54-76n, inclusive, of the general statutes concerning the acceptance of a plea pursuant to a plea agreement entered into by a youth or the imposition of sentence upon such youth, the court shall permit any victim of the crime for which such youth is charged to submit a written statement for the record, or to appear before the court and make a statement for the record, regarding such plea agreement or sentence.

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Sec. 4. Subsection (a) of section 54-222a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(a) Whenever a peace officer determines that a crime has been committed, such officer shall: [render] (1) Render immediate assistance to any crime victim, [of such crime] including obtaining medical assistance for any such crime victim if such assistance is required; [ shall] (2) present a card prepared by the Office of the Chief Court Administrator to [a] the crime victim [who has suffered physical injury] informing the crime victim of services available and the rights of crime victims in this state; and [shall] (3) refer the crime victim to the Office of Victim Services for additional information on rights and services. A peace officer shall not be liable for failing to present an informational card to any crime victim as provided in subdivision (2) of this subsection or for failing to refer any crime victim to the Office of Victim Services as provided in subdivision (3) of this subsection. For the purposes of this subsection, "crime victim" shall have the same meaning as provided in section 1-1k.

Approved July 1, 2005